

**United States District Court**

**for the**

**Eastern District of Washington**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Aug 09, 2018**

SEAN F. McAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Jesus Cornelio

Case Number: 0980 2:13CR02090-SMJ-1

Address of Offender:

Yakima, WA 98902

Name of Sentencing Judicial Officer: The Honorable Salvador Mendoza, Jr., U.S. District Judge

Date of Original Sentence: November 17, 2014

Date of Revocation Sentence: March 15, 2017

Original Offense: Distribution of Methamphetamine, 21 U.S.C. § 841(a)(1) and (b)(1)(C)

Original Sentence: Prison - 30 months      Type of Supervision: Supervised Release  
TSR - 36 months

Revocation Sentence: Prison - 6 months  
TSR - 30 months

Asst. U.S. Attorney: Ben Seal

Date Supervision Commenced: August 25, 2017

Defense Attorney: Federal Defenders Office

Date Supervision Expires: February 24, 2020

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**PETITIONING THE COURT**

To incorporate the violations contained in this petition in future proceeding with the violations previously reported to the Court on December 13, 2017; January 9, February 28, and May 30, 2018.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number      Nature of Noncompliance

10      **Special Condition #6:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. Cornelio submitted to urinalysis testing on July 18, 2018, which returned positive for the presence of methamphetamine.

On August 25, 2017, supervised release conditions were reviewed and signed by Mr. Cornelio acknowledging his understanding of special condition number 6, which requires him to abstain from the use of illegal controlled substances and submit to urinalysis testing.

On July 18, 2018, Mr. Cornelio submitted to a drug screen at the probation office. The preliminary test returned presumptive positive for methamphetamine and the specimen

**Re: Cornelio, Jesus**

**August 9, 2018**

**Page 2**

appeared dilute. Mr. Cornelio was confronted regarding the illegal drug use, to which he denied consuming methamphetamine. The specimen was sent to Alere Toxicology Services (Alere) for confirmation. On July 23, 2018, Alere determined the specimen tested positive for the presence of methamphetamine and the specimen was dilute.

- 11      **Standard Condition #13:** You must follow the instructions of the probation officer related to the conditions of supervision.

**Supporting Evidence:** Mr. Cornelio failed to complete 3 days of work crew by July 25, 2018, as directed.

On August 25, 2017, supervised release conditions were reviewed and signed by Mr. Cornelio acknowledging his understanding of standard condition #13, which requires him to submit to follow the instructions of the probation officer.

On July 11, 2018, Mr. Cornelio was directed to complete 3 days of work crew as a sanction for violating the terms of the Sobriety Treatment and Education Program (STEP). Mr. Cornelio signed the STEP status report acknowledging this requirement. Mr. Cornelio was reminded of this requirement on July 12 and 17, 2018. On July 18, 2018, he signed up to complete his work crew, however, never showed up on his assigned days to complete his work crew requirement.

- 12      **Standard Condition #13:** You must follow the instructions of the probation officer related to the conditions of supervision.

**Supporting Evidence:** Mr. Cornelio failed to show up for STEP Court on July 25, 2018, as directed.

On August 25, 2017, supervised release conditions were reviewed and signed by Mr. Cornelio acknowledging his understanding of standard condition #13, which requires him to submit to follow the instructions of the probation officer.

On July 11, 2018, Mr. Cornelio was directed by this officer to show up for STEP Court on July 25, 2018, at 10:30 a.m. Mr. Cornelio signed the STEP status report acknowledging this requirement. On July 24, 2018, Mr. Cornelio confirmed he would be at STEP Court the following day; however, he failed to report as scheduled.

- 13      **Special Condition #6:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. Cornelio submitted to urinalysis testing on July 26, 2018, which returned positive for the presence of cocaine.

On August 25, 2017, supervised release conditions were reviewed and signed by Mr. Cornelio acknowledging his understanding of special condition number 6, which requires him to abstain from the use of illegal controlled substances and submit to urinalysis testing.

**Re: Cornelio, Jesus**

**August 9, 2018**

**Page 3**

On July 26, 2018, Mr. Cornelio submitted to a drug screen at Merit Resource Services (Merit). The preliminary test returned presumptive positive for methamphetamine and cocaine. The specimen was sent to Alere for confirmation. On July 30, 2018, Alere determined the specimen tested positive for the presence of cocaine and that the specimen was dilute.

The U.S. Probation Office respectfully recommends the Court incorporate the violations contained in this petition in future proceeding with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 9, 2018

s/Phil Casey

Phil Casey  
U.S. Probation Officer

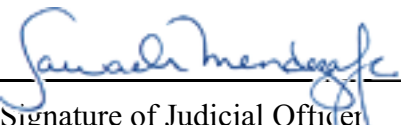
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THE COURT ORDERS

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other

  
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Signature of Judicial Officer

August 9, 2018

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Date